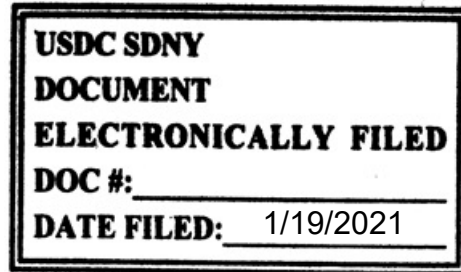


January 18, 2021

**VIA ECF**

Honorable Robert W. Lehrburger  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007



Re: Guerin v. PSXDanielle LLC, 1:20-cv-04547 (ALC-RWL)

Dear Judge Lehrburger:

We represent Plaintiff Charles Guerin in the above-captioned case and write to respectfully request an adjournment of the court conference scheduled for January 21, 2021, *sine die*, on grounds that Defendant PSXDanielle, LLC (“Defendant”) remains in default.

- (1) the original scheduled conference is January 21, 2021 at 3:30 p.m. [Dkt. #18];
- (2) a previous request for adjournment was made on November 23, 2020 [Dkt. #12]
- (3) the previous request was granted at Dkt. #13;
- (4) I have not been able to reach Defendant, which is not represented by counsel, and therefore do not know whether it consents;

Due to Defendant’s failure to file a notice of appearance via counsel, Plaintiff intends to move for default judgment within 30 days. *See Terex Fin. Servs., Inc. v. Carolina Forestry & Wildlife, LLC*, No. 3:17-CV-00417 (VAB), 2017 WL 4683994, at \*1 (D. Conn. Oct. 18, 2017) (“Limited liability corporations must be represented by licensed counsel within the Second Circuit.”) (citing *Lattanzio v. COMTA*, 481 F.3d 137, 140 (2d Cir. 2007) (requiring sole member LLC to appear through licensed counsel)).

No other dates will be impacted.

Respectfully Submitted,

**s/jameshfreeman/**  
James H. Freeman

*Counsel for Plaintiff*

DENIED. The conference will go forward. Although not a named defendant, Ms. Priano may participate.

SO ORDERED:

1/19/2021



HON. ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

The Clerk's Office is directed to mail a copy of this Memo Endorsement to PSXDanielle LLC and note service on the docket:

PSXDanielle LLC  
c/o Michelle Priano  
1636 York Ave  
Apt. 2R  
New York, NY 10028